

**United States Bankruptcy Court
Northern District of Iowa**

IN RE:

PROPERTY HOLDERS, LTD,

Debtor.

Chapter 11

Bankruptcy No. 22-00744

**Second Interim Application for
Compensation of Attorney for Debtor**

Rush M. Shortley, Attorney for Debtor, submits his second interim application for compensation for services provided to and expenses incurred from March 1, 2023 through June 12, 2023 as follows:

1. Debtor filed its Voluntary Petition under Chapter 11, Subchapter V on November 21, 2022. Applicant's employment as Debtor's counsel was approved by this Court's order entered on December 13, 2022.
2. Since the filing of the petition, Applicant has performed the services for Debtor at the rate of \$275.00 per hour as shown on the statement for services rendered and incurred expenses in his representation attached as Exhibit A.
3. All services have been performed for the purposes set out in Paragraph 6 of Debtor's Application for Employment of Counsel filed on November 21, 2022 at DOC 2.
4. Applicant now makes application for approval of attorney fees in the amount of \$11,298.75 and expenses in the amount of \$36.06 to be paid by Debtor in Possession from funds on hand.

WHEREFORE, Applicant respectfully requests that after notice to creditors and other parties in interest and, if necessary, hearing, Applicant be allowed \$11,298.75 for professional services and \$36.06 for expenses incurred for a total of \$11,334.81 to be paid from Debtor's available funds and such other relief this Honorable Court finds agreeable to equity and good conscience.

Dated: June 12, 2023

Respectfully Submitted,


Rush M. Shortley 7353
1921 51st Street NE
Cedar Rapids, IA 52402
Phone: (319) 294-1907
Fax: (866) 388-4875
E-mail: rush@shortleylaw.com
Attorney for Debtor

EXHIBIT A

RUSH M. SHORTLEY

ATTORNEY AT LAW

1921 51st Street NE – Cedar Rapids, Iowa 52402

Statement of Account for:

June 12, 2023

Property Holders LTD
PO BOX 2328
Cedar Rapids, IA 52406-2328

In Reference To: Chapter 11 Bankruptcy Case

Invoice No. 12823

FOR LEGAL SERVICES RENDERED:

Professional Services:

	<u>Hours</u>
3/1/2023 Preparation of Documents and Exhibits for Cash Collateral Hearing and Otherwise Prepare for Hearing.	2.0
Office conference with Client re: Preparation for Cash Collateral Hearing.	1.5
3/2/2023 Plan and Prepare for Cash Collateral Hearing. Prepare Exhibits for Same.	1.5
Attend Hearing re: Motion for Use of Cash Collateral by Debtor.	4.0
3/3/2023 Review and Reply to E-mail from Attorney Briley re: Proceeding from this Point to Confirmation.	0.3
Telephone Conference with Client re: Preparation of House Photos for Use at Confirmation Hearing.	0.3
3/6/2023 Telephone Conference with Client re: Items to Get Ready for Confirmation and Other Items that Need Attention.	0.3
Preparation of Documents: Work on Spreadsheet for Dupaco Loans.	2.0
3/7/2023 Preparation of Documents: Work on Spreadsheet for Dupaco Loans.	0.5

Property Holders LTD Chapter 11 Bankruptcy Case		Invoice No. 12823
		Hours
3/7/2023	E-mail to Attorney Tonya Trumm re: Requesting Details About Dupaco Mortgage Loans and Opening Thoughts About Use of Cash Collateral.	0.5
	E-mail to Client re: Dupaco Accounting and Other Pre-Confirmation Matters.	0.2
	Review and Reply to Email from Carrie Kasper re: Sale of 2164 Blake Blvd SE Cedar Rapids.	0.3
3/8/2023	Telephone Conference with Client re: Need for Information Dupaco Loans and Other Items.	0.3
3/9/2023	Telephone Conference with Cory Rath's Office re: Preliminary Closing Statement on Blake Blvd Property.	0.2
3/16/2023	Office conference with Client re: Rents Received and Other Matters.	1.25
	Telephone Conference with Attorney Sarah Wencil re: Needed Modifications to Chapter 11 Plan.	1.2
3/17/2023	Preparation of Documents: Work on Spreadsheet for Dupaco Loans.	0.75
	Telephone Conference with Client re: Miscellaneous Matters Relating to Confirmation and Reporting.	0.3
	E-mail to Attorney Siobhan Briley re; New Appraisals and Additional Sales.	0.3
	E-mail to Counsel for Secured Creditors, Trustee, UST Attorneys, Client and Other Parties for Use of Confirmation Hearing Set for April.	0.3
	Telephone Call to Attorney Tonya Trumm Message re: Dupaco Claims and Sale of Properties.	0.1
	Review and Reply to Email from Douglas Flugum re: Payment and Forwarded GSCU Bank Statements.	0.1
	Telephone Call to BKY Courtroom Clerk - Leave Message re: Handling April Confirmation Hearing.	0.1
	Review and Reply to E-mail from Attorney Briley re: Refusal to Provide Copies of Appraisals.	0.2

Property Holders LTD		Chapter 11 Bankruptcy Case	Invoice No.	12823
				Hours
3/21/2023	E-mail to Attorney Sarah Wencil re: Transmit GreenState & Dupaco Loan Spreadsheets for Review.			0.2
	Telephone Conference with Client re: Need for Monthly Report & Other Matters.			0.3
	Review Property Exhibit Demonstration Proposal.			0.3
	Review and Reply to Email from Robin Davisson re: Demonstration Presentation for Property Improvement Exhibits.			0.3
	Preparation of Documents: Prepare Payments Made for Spoon Creek CT SE Mortgage by Property Holders, LLC.			0.5
3/22/2023	Telephone Conference with Robin Davisson re: Property Presentation.			0.3
	Review and Reply to E-mail from Attorney Briley re: Property Appraisals and Plan Provisions.			0.2
	Brief Review of New GreenState Appraisals.			0.3
	E-mail to Client re: Forward S. Briley Email with Appraisals Dropbox Link.			0.1
	Telephone Conference with Client re: Appraisals and Loan by Dupaco on 2040 Spoon Creek CT SE.			0.3
	Telephone Conference with Attorney Briley re: Discussion of GSCU Consent to Motion to Sell 2164 Blake BLVD & GSCU Input to Plan for Modified Plan.			0.2
	Preparation of Documents: Prepare Motion & Proposed Order for Sale 2164 Blake BLVD SE in Cedar Rapids.			1.5
	E-mail to Attorneys Trumm & Briley re: Motion & Order to Sell 2164 Blake BLVD SE in Cedar Rapids.			0.2
3/23/2023	Preparation of Documents: Review Order Proposed by Eric Langston for A. Clark Motion to Lift Stay and Redraft Order to Accurately Reflect State of the Proceedings.			0.5
	E-mail to Attorney Eric Langston re: Submit Redraft of Proposed Order for Resolution of A. Clark Stay Motion.			0.2

Property Holders LTD		Chapter 11 Bankruptcy Case	Invoice No.	12823
				Hours
3/23/2023	Telephone Conference with Attorney Tonya Trumm re: Changes She wants in Motion to Sell 2164 Blake BLVD SE.			0.3
	Preparation of Documents: Modify Motion to Sell 2164 Blake BLVD per Requests of Tonya Trumm for DPCU.			0.5
	E-mail to Attorney T. Trumm re: Modified Motion to Sell 2164 Blake BLVD SE and Transmitting the Modified Motion.			0.2
3/24/2023	Review and Reply to E-mail from Attorney Tonya Trumm re: Modified Motion to Sell 1264 Blake BLVD SE Cedar Rapids.			0.2
	Preparation of Documents: Revise Modified Motion for Sale of 1264 Blake AVE SE Cedar Rapids per T. Trumm's Email.			0.2
	E-mail to Attorney T. Trumm re: Transmit Revised Modified Motion to Sell 1264 Blake BLVD SE Cedar Rapids.			0.2
	Review Dupaco Objection to Plan.			0.3
	E-mail to Client re: Transmit Dupaco Objection to Plan for Comment.			0.2
	E-mail to Client re: Forward Attorney Briley's Email Concerning Questions about Properties Mortgaged to GSCU.			0.2
	Telephone Conference with Client re: Questions Asked by GSCU Lawyer and Potential Accounting Claim.			0.5
4/6/2023	Preparation of Documents: Work on Modified Plan.			1.5
4/7/2023	Telephone Conference with Attorney Briley re: Treatment of GreenState Credit Union's Claim.			0.7
4/9/2023	Preparation of Documents: Work on Draft of Modified Plan and Associated Documents.			5.0
4/10/2023	Preparation of Documents: Complete Modified Chapter 11 Plan.			1.5
	Telephone Conference with Attorney Tonya Trumm re: Discussion of Modified Plan Treatment of Dupaco Claim.			0.5

Property Holders LTD		Chapter 11 Bankruptcy Case	Invoice No.	12823
				Hours
4/10/2023	Telephone Conference with Attorney Siobhan Briley re: GSCU Treatment in Modified Chapter 11 Plan.			0.3
	Office conference with Client re: Modified Chapter 11 Plan.			1.0
	Preparation of Documents: Prepare Exhibits for Modified Chapter 11 Plan.			2.0
4/11/2023	Telephone Conference with Bankruptcy Court Clerk re: Set Bar Date & Hearing Date for Chapter 12 Plan.			0.3
4/12/2023	Preparation of Documents: Prepare Draft Motion and Order for Sale of 1060 33rd St NE, Cedar Rapids.			1.0
4/13/2023	Preparation of Documents: Prepare Application and Proposed Order for Employment of Certified Public Accountant.			0.8
	Telephone Conference with Ronald Detweiler re: Application for Employment as Accountant for Debtor.			0.2
	Telephone Call to Client - Leave Message re: Payment of RE Taxes.			0.1
	Telephone Conference with Client re: Payment of RE Taxes on Dupaco Properties and Other Matters.			0.2
	Review and Reply to E-mail from Attorney Trumm re: Payment of RE Taxes with Cash Collateral.			0.2
4/19/2023	E-mail to US Trustee re: Transmit Monthly Bank Statements for March 2023 as Requested.			0.3
4/21/2023	Review Draft Report Submitted by Client.			0.2
	E-mail to Client re: Edits Needed in March Monthly Report.			0.2
4/24/2023	E-mail to Attorney Briley re: GSCU Consent to Motion to Sell 1060 33rd ST NE Cedar Rapids.			0.2
4/25/2023	Review and Reply to E-mail from Attorney Briley re: The GSCU Refusal to Sign Off on the Dupaco Sale of 1060 33rd ST NE, Cedar Rapids.			0.5

Property Holders LTD		Chapter 11 Bankruptcy Case	Invoice No.	12823
				Hours
4/26/2023	Preparation of Documents: Review and Revise Motion and Order for Sale of 1060 33rd ST NE, Cedar Rapids. Prepare for Filing.			0.6
	E-mail to Bankruptcy Courtroom Clerk re: Transmittal of Proposed Order for Sale of 1060 33rd AVE NE Cedar Rapids.			0.2
4/27/2023	E-mail to Client re: Exhibits for March Monthly Report as Submitted.			0.2
	E-mail to US Trustee re: Missing Exhibits to March Monthly Report.			0.2
	Review March Monthly Report Exhibits from Client.			0.2
5/8/2023	Telephone Conference with Bankruptcy Trustee Douglas Flugum re: Updates on Selling Properties and Insurance Coverages.			0.2
	E-mail to Client re: Forward US Trustee's Email to Client with Concerns and Requirements.			0.3
	Telephone Conference with US Trustee re: Insurance Coverages and Exhibits for March Monthly Report.			0.3
	Telephone Conference with Client re: Vandenberg Email and Telephone Call and Insurance Coverage Documentation.			0.3
5/10/2023	Preparation of Documents: Prepare Consolidated PDF Files for State Farm Insurance Binders.			1.0
	E-mail to US Trustee re: Transmittal of State Farm Insurance Binders.			0.2
	E-mail to Attorney Briley re: Transmittal of State Farm Insurance Binders.			0.2
5/12/2023	Telephone Conference with Client re: Objections to Modified Plan.			0.3
	E-mail to Attorney Trumm re: Insurance Matter and Objection.			0.3
	Preparation of Documents: Prepare Motion to Sell and Proposed Order for 1557 6th AVE SE Cedar Rapids.			1.25
	E-mail to Attorney S. Briley re: Transmittal of Motion to Sell and Proposed Order for Review and Consent and Discussion of Value and Insurance Coverage Matters.			0.3

Property Holders LTD Chapter 11 Bankruptcy Case		Invoice No.	12823
			Hours
5/16/2023	Telephone Conference with Client re: Sale of Additional Property.		0.2
	Preparation of Documents: Prepare and File Report on Ballots.		1.0
	Research re Review Provisions of Chapter 11 for Requirements for Confirmation of a Subchapter V Plan.		1.0
5/18/2023	Telephone Conference with Attorney Tonya Trumm re: Dupaco Requests for Plan Additions.		0.5
	Telephone Conference with Client re: Items Dupaco Wants in Plan Treatment & Other Matters.		0.5
5/22/2023	Preparation of Documents: Review and Prepare Monthly Report for Filing.		0.5
	E-mail Exchange with Client re: State Farm Insurance Binders I Need.		0.2
	Claim 11 Filed by City of Cedar Rapids.		0.2
	E-mail to Attorney Peter Riley and Client re: Claim Filed by City of Cedar Rapids Based on Judgment for Civil Infraction.		0.2
	Telephone Conference Call with Tonya Trumm and Douglas Flugum re: Additional Plan Provisions.		1.0
	Review Email from Tonya Trumm re: Conditions that Dupaco Wants Today.		0.2
	E-mail to Client re: Transmit Email from T. Trumm with Dupaco's Latest Demands with Request for Comment.		0.2
	Telephone Conference with Client re: New Requests from Dupaco and Other Matters.		0.5
	Review Final Closing Statement for 1060 33rd ST NE.		0.2
	E-mail to Attorney Trumm re: Forward Final Closing Statement for Sale that Closed Today.		0.1
5/23/2023	Preparation of Documents: Complete Preparation of Exhibits for Confirmation Hearing.		1.0

Property Holders LTD		Chapter 11 Bankruptcy Case	Invoice No.	12823
				Hours
5/23/2023	E-mail to Attorneys Briley & Tromm re: Transmitting Confirmation Exhibits A-1, A-2, B-1 & B-2			0.2
	Attend Hearing re: Confirmation of Chapter 11 Plan			1.0
	E-mail to Attorney Trumm re: Use of Cash Collateral to Pay Property Taxes and Reconfiguring DIP Accounts.			0.3
	E-mail to Mari Davis re: Turnover of Estate Property.			0.3
	Preparation of Documents: Finalize Motion to Sell and Proposed Order re Sale of 1557 6th AVE SE Cedar Rapids. File Motion.			0.2
	E-mail to Clerk re: Transmittal of Proposed Order for Presentation to the Court.			0.2
	Telephone Conference with Carrie Kasper re: Description of Record of Property at 1557 6th AVE SE Cedar Rapids.			0.2
	Review and Reply to Email from Carrie Kasper re: Differences in Legal Description for property at 1557 6th AVE SE Cedar Rapids.			0.3
5/25/2023	Telephone Conference with Bankruptcy Court Clerk re: Application for Administrative Fees by Mari Davis.			0.2
6/1/2023	Telephone Conference with Attorney Tonya Trumm re: Use of Dupaco Cash Collateral, Appraisals and Other Matters.			0.5
	Preparation of Documents: Draft Formalized Additions to Plan with Example Spreadsheets for Monthly Reports.			2.0
6/2/2023	Telephone Conferences with Client re: Dupaco Appraisals, Properties to Be Held and Sold.			0.5
	Preparation of Documents: Draft Proposed Order for Confirmation of Plan.			1.0
	Telephone Conference with Attorney Sarah Wencil re: Time of Substantial Consummation of the Plan.			0.2
	Telephone Conference with Subchapter V Trustee re: Timing of Substantial Consummation of Plan.			0.2

Property Holders LTD	Chapter 11 Bankruptcy Case	Invoice No.	12823
			<u>Hours</u>
6/9/2023	Review and Reply to E-mail from Attorney Trumm re: Debtor not permitting access to 3 properties for Appraisal.		0.2
	E-mail to Client re: Client's Denial of Access to Three Properties by Appraisers.		0.2
	E-mail to Cory Rath re: 1720 Grand Ave SE and 1801 Bever AVE SE Listings.		0.2
	Telephone Conference with Client re: Properties Not Being Appraised and Office Meeting Regarding Mari Davis Claim.		0.2
	E-mail to Carrie Kasper re: Reply to Her Email regarding the Order of Business for RE Sales under the Plan.		0.5
6/12/2023	Review and Reply to E-mail from Client re: Grounds for Objection to Mari Davis Claim and Application for Administrative Expense		0.5
	Review 2nd Application for Compensation by Douglas Flugum.		0.2
		<u></u>	<u>Amount</u>
	Fee for professional services	66.25	\$18,218.75
Additional Charges :			
		<u>Price</u>	
3/1/2023	Postage: Application for Compensation	0.60	14.40
4/13/2023	Postage: Mailing of Modified Plan and Ballots.	0.84	20.16
5/23/2023	Parking for Confirmation Hearing.	1.50	1.50
Total costs			<u>\$36.06</u>
Total amount of this bill			<u>\$18,254.81</u>
Previous balance			\$20,330.53
Payment & Adjustment Information			
3/31/2023	Payment - Thank You		(\$27,250.53)

Property Holders LTD	Chapter 11 Bankruptcy Case	Invoice No.	12823
			<u>Amount</u>
Total payments and adjustments			<u>(\$27,250.53)</u>
Balance due			<u><u>\$11,334.81</u></u>

DUE AND PAYABLE ON RECEIPT!

Interest will accrue on unpaid balances at the rate of 8% per annum (0.67% per month). Payment of the entire balance due on this bill within 10 days of the date of the original invoice or by the last day of the month in which the bill is rendered, whichever is earlier, will prevent interest being charged on any part of the balance due.